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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,240	06/27/2003	Marc A. Smith	1026-085 301967.01	2601
27662 7590 01/10/2008 MICROSOFT CORPORATION C/O LYON & HARR, LLP 300 ESPLANADE DRIVE SUITE 800 OXNARD, CA 93036			EXAMINER HOANG, HIEU T	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/608,240	Applicant(s) SMITH ET AL.	
	Examiner Hieu T. Hoang	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/26/2007 has been entered.
2. Claim 24 is new.
3. Claims 1-24 are pending in the application.

Response to Amendment

4. The objections of claims 1, 12, and 19 have been withdrawn due to the amendment.

Response to Arguments

5. Applicant's arguments have been fully considered but they are moot in view of new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilz, Sr. et al. (US 5,992,752, hereafter Wilz), in view of Perkowski (US 7,089,199), further in view of Mulla et al. (US 6,119,944, hereafter Mulla).

8. For claim 1, Wilz discloses a wireless programmable user interaction system providing user interaction with networked services relating to physical objects that have associated machine-readable tags (title, abstract), comprising:

- a portable interaction device in wireless communication with a computer network (fig. 3 handheld device 26), the portable interaction device including a portable computing device (fig. 3 handheld device 26), with a payload processor (fig. 3 browser integrated GUI, col. 20 lines 10-11) and an associated machine-readable tag reader (fig. 3, barcode symbol scanner 20), wherein the portable interaction device generates tag identity information relating to a selected physical object upon operating the machine-readable tag reader to read a machine-readable tag associated with the selected physical object (col. 20, lines 13-17);

- a payload delivery service that delivers to the payload processor a selected functional payload, received via the wireless communication, to be executed by the payload processor to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor;

However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig. 1, abstract, fig. 4A1, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional

payloads operable by the payload processor (fig. 4A1, col. 14 lines 53-57, UPC catalog correlates product information with product category);

Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole scanning system portable.

9. For claim 12, Wilz discloses in a portable interaction device with means for wireless communication with a computer network, the portable interaction device including a portable computing device and an associated machine-readable tag reader, wherein the portable interaction device generates tag identity information upon

operating the machine-readable tag reader to read a machine-readable tag, user interaction software stored on the portable computing device and providing user interaction with networked services relating to selected physical objects that have associated machine-readable tags (title, abstract, fig. 3, portable bar code scanner 26), comprising:

- a payload processor operating on the portable computing device (fig. 3 browser integrated GUI, col. 20 lines 10-11);
- a payload delivery service that delivers to the payload processor a selected functional payload to be executed by the payload, via the wireless communication, processor to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor;

However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer

network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig. 1, abstract, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor (UPC catalog 3, col. 14 lines 53-57, UPC catalog correlates product information with product category);

Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by

Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole scanning system portable.

10. For claim 19, Wilz discloses a wireless programmable user interaction system providing user interaction with networked services relating to physical objects that have associated machine-readable tags (title, abstract), comprising:

- a portable interaction device in wireless communication with a local computer network (fig. 3 handheld device 26), the portable interaction device including a portable computing device (fig. 3 handheld device 26), with a payload processor (fig. 3 browser integrated GUI, col. 20 lines 10-11), and an associated machine-readable tag reader (fig. 3, barcode symbol scanner 20), wherein the portable interaction device generates tag identity information relating to a selected physical object upon operating the machine-readable tag reader to read a machine-readable tag associated with the selected physical object (col. 20, lines 13-17);
- a payload delivery service that delivers to the payload processor a selected functional payload, via the wireless communication, to be executed by the payload processor to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface); and

- a payload server (fig. 3, server 2,) communicating with the local computer network via a public global computer network (fig. 3, global network including radio base station 27, ISP 4 and information server 2) and providing the selected functional payload to the payload delivery service via the public global computer network and the wireless communication (the server provides the web page associated with the scanned bar code to the portable bar code scanner).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor;

However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig. 1, abstract, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor (UPC catalog 3, col. 14 lines 53-57, UPC catalog correlates product information with product category);

Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole system portable.

11. For claim 24, Wilz discloses a wireless programmable user interaction system providing user interaction with networked services relating to physical objects that have associated machine-readable tags (title, abstract), comprising:

- a portable interaction device in wireless communication with a computer network (fig. 3 handheld device 26), the portable interaction device including a portable computing device (fig. 3 handheld device 26), with a payload processor

(fig. 3 browser integrated GUI, col. 20 lines 10-11) and an associated machine-readable tag reader (fig. 3, barcode symbol scanner 20), wherein the portable interaction device generates tag identity information relating to a selected physical object upon operating the machine-readable tag reader to read a machine-readable tag associated with the selected physical object (col. 20, lines 13-17);

- a payload delivery service that delivers to the payload processor a selected functional payload, received via the wireless communication, to be executed by the payload processor that includes a browser that executes the selected functional payload at the portable interaction device to provide to the user a networked service corresponding to the selected physical object (fig. 6B, col. 21 lines 12-18 and 52-67, col. 22 lines 19-36, payloads such as descriptions of the information content of the selected object is delivered wirelessly to the browser of the portable bar code scanner and displayed on a GUI interface).

Wilz does not explicitly disclose an interaction system catalog that indicates the types of information, interactions and computer network services that are available for the selected physical object, in the portable computing device of the portable interaction device, storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor;

However, in the same field of endeavor, Perkowski discloses an interaction system catalog that indicates the types of information, interactions and computer

network services that are available for the selected physical object (fig. 2A, col. 9 lines 27-32, each retailer's client system (a portable bar code scanner) has one UPN/URL database RDBS No. 1, 2, etc., each RDBS is shared with a master RDBS shown in fig. 1, abstract, one or more URLs related to the bar code to provide product-related online services to the user); storing tag format information that correlates the tag identity information with an identity information category to obtain one or more functional payloads operable by the payload processor (UPC catalog 3, col. 14 lines 53-57, UPC catalog correlates product information with product category);

Wilz-Perkowski does not explicitly disclose that the interaction system catalog (or the local database) is in the portable computing device of the portable interaction device.

However, Mulla discloses the same (abstract, fig. 7A, the combination of a handheld bar code reader together and a handheld computer is read as a portable interaction device, wherein the portable computer can be used to store UPC information instead of a desktop)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Wilz and Perkowski and Mulla in order to provide Wilz's system with more functionality such as checking for accurate, up-to-date product information using the UPC catalog (Perkowski, col. 1, lines 62-65), also take advantage of the improved database structure (e.g. information fields and data elements, Perkowski, col. 17, lines 41-43), and also provide a local UPC database as described by

Perkowski (fig. 3, local UPC database) on the portable bar code scanning system of Mulla to make the whole scanning system portable.

12. For claim 2, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the computer network includes a public global computer network (Wilz, col. 20 lines 18-30) and the system further comprises a payload server that provides the selected functional payload via the public global computer network and the wireless communication (Wilz, fig. 3, server 2, wireless link 5).

13. For claims 3, 13, and 20, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 1, 12, and 19. Wilz-Perkowski-Mulla further discloses a filter that identifies the identity information category of the tag identity information from among plural identity information categories stored in the interaction system catalog (Perkowski, fig. 4A1, col. 12 lines 26-37, UPC and EAN bar code data structures are distinguished by 2 different categories stored in the server).

14. For claims 4, 14, and 21, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 3, 13, and 20. Wilz-Perkowski-Mulla further discloses a catalog explorer that provides to the interaction system catalog via the wireless communication information to obtain one or more functional payloads that are operable by the payload processor (Perkowski, col. 19 lines 43-64, selectable network

services, including UPN information, trademark information, and product description information, can be chosen by checking an appropriate checkbox) and to provide networked services that are compatible with the identity information category of the tag identity information (Perkowski, fig. 4A1, a pluralities of payloads stored in a database server is accessible using a browser on the portable device).

15. For claims 5, 15, and 22, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 1, 12, and 19. Wilz-Perkowski-Mulla further discloses a component that retrieves from the interaction system catalog an indication of plural selectable network services that relate to the selected physical object (Perkowski, col. 19 lines 43-64, selectable network services, including UPN information, trademark information, and product description information, can be chosen by checking an appropriate checkbox), wherein the selected functional payload corresponds to one of the plural selectable network services (Perkowski, col. 19 lines 43-64, trademark payload corresponds to trademark mode, product description corresponds to product description mode).

16. For claims 6, 16, and 23, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 5, 15, and 22. Wilz-Perkowski-Mulla further discloses the payload delivery service provides the user with indications of the plural selectable network services and in which the user selects the network service corresponding to the selected functional payload (Perkowski, col. 19 lines 43-64,

selectable network services, including UPN information, trademark information, and product description information, can be chosen by checking an appropriate checkbox).

17. For claim 7, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the machine-readable tags are bar code tags (Wilz, abstract).

18. For claim 8, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the networked service includes storing at a network location a user annotation relating to the selected physical object (Wilz, col. 21 lines 19-35, information associated with each bar-coded item can be edited).

19. For claims 9 and 17, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 1 and 12. Wilz-Perkowski-Mulla further discloses the portable computing device is generally programmable (Wilz, col. 11 line 39).

20. For claim 10 and 18, Wilz-Perkowski-Mulla discloses the invention substantially as described in claims 1 and 12. Wilz-Perkowski-Mulla further discloses the payload processor includes a browser that executes the selected functional payload (Wilz, fig. 3 browser integrated GUI, col. 20 lines 10-11).

21. For claim 11, Wilz-Perkowski-Mulla discloses the invention substantially as described in claim 1. Wilz-Perkowski-Mulla further discloses the payload processor provides execution of the selected functional payload directly by the portable computing device (Wilz, fig. 3 browser integrated GUI, col. 20 lines 10-11, GUI displays web pages associated with the scanned items directly on the portable scanner 26)

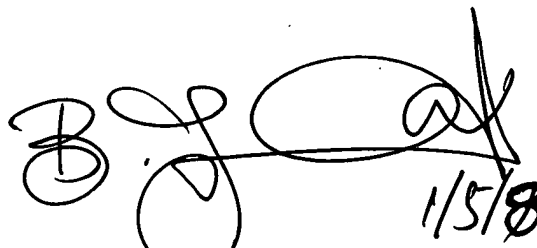
Conclusion

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HH



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BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER